

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1593

4  
5 By: Representative Maloch  
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7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE  
11 AUCTIONEERS LICENSING BOARD FOR THE FISCAL YEAR  
12 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE AUCTIONEERS LICENSING  
16 BOARD APPROPRIATION FOR THE 2009-2010  
17 FISCAL YEAR.  
18  
19  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Auctioneers Licensing Board for the 2009-2010 fiscal year, the following  
25 maximum number of regular employees whose salaries shall be governed by the  
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
28 Provided, however, that any position to which a specific maximum annual  
29 salary is set out herein in dollars, shall be exempt from the provisions of  
30 said Uniform Classification and Compensation Act. All persons occupying  
31 positions authorized herein are hereby governed by the provisions of the  
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
33 or its successor.  
34

35 Maximum Annual  
36 Maximum Salary Rate



Item	Class	No. of	Fiscal Year
No.	Code	Title	Employees
(1)	X089C	AUCTIONEER BD SECRETARY	<u>1</u>
		MAX. NO. OF EMPLOYEES	1

SECTION 2. EXTRA HELP. There is hereby authorized, for the Auctioneers Licensing Board for the 2009-2010 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Auctioneers Licensing Board, to be payable from the cash funds as defined by Arkansas Code 19-4-801, for personal services and operating expenses of the Auctioneers Licensing Board for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
NO.	2009-2010
(01) REGULAR SALARIES	\$ 44,011
(02) EXTRA HELP	15,780
(03) PERSONAL SERVICES MATCHING	14,053
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	49,808
(B) CONF. & TRAVEL	4,500
(C) PROF. FEES	13,688
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) REFUNDS/REIMBURSEMENTS	500
(06) CLAIMS	<u>50,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 192,340</u>

SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment

1 for services of attorneys, unless the agency shall first make a request in  
2 writing to the Attorney General of the State of Arkansas to provide the  
3 required legal services. The Attorney General's Office shall provide the  
4 requested legal services, or, if the Attorney General's Office shall  
5 determine that sufficient personnel are not available to provide the  
6 requested legal services, the Attorney General shall certify the same to the  
7 agency and may authorize the agency to employ legal counsel and to expend  
8 monies appropriated for Maintenance and General Operations therefor, if:

9 (1) The Attorney General determines, and certifies in writing, that such  
10 agency needs the advice or assistance of legal counsel, and

11 (2) The Attorney General consents in writing to the employment of the  
12 legal counsel to be retained by the agency.

13 Such certification shall be required with respect to each instance of the  
14 employment of special legal counsel, or shall be required annually with  
15 respect to legal counsel employed on a retainer basis. A copy of such  
16 certification shall be entered in the official minutes of the agency, and  
17 shall be retained in the fiscal records of the agency for audit purposes.  
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19 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
20 by this act shall be limited to the appropriation for such agency and funds  
21 made available by law for the support of such appropriations; and the  
22 restrictions of the State Procurement Law, the General Accounting and  
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
24 Procedures and Restrictions Act, or their successors, and other fiscal  
25 control laws of this State, where applicable, and regulations promulgated by  
26 the Department of Finance and Administration, as authorized by law, shall be  
27 strictly complied with in disbursement of said funds.  
28

29 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
30 that any funds disbursed under the authority of the appropriations contained  
31 in this act shall be in compliance with the stated reasons for which this act  
32 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
33 and Legislative Recommendations contained in the budget manuals prepared by  
34 the Department of Finance and Administration, letters, or summarized oral  
35 testimony in the official minutes of the Arkansas Legislative Council or  
36 Joint Budget Committee which relate to its passage and adoption.

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SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2009 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2009 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2009.